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4 AZ Bar #22322  
Attorney for Defendants

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7 UNITED STATES DISTRICT COURT  
8  
9 DISTRICT OF ARIZONA

10 Transamerica Life Insurance Company,  
11 Plaintiff,  
vs.  
12 BRITTANY A. RETZLAFF and DENISE A. HOLLAS  
Defendants

No.: 2:24-cv-00379-ROS

ANSWER TO COMPLAINT IN INTERPLEADER

13 Defendants, Brittany A. Retzlaff and Denise A. Hollas., by and through their counsel Attorney,  
14 Anthony R. Montoya, does hereby appear in this matter and answers Interpleader Plaintiff's complaint in  
15 Interpleader as follows:

16 **PARTIES**

17 1. Defendants are unable to admit or deny the allegations contained in paragraph 1 of the complaint and  
therefore leave Plaintiff to its proofs.

18 2. Defendants are unable to admit or deny the allegations contained in paragraph 2 of the complaint and  
therefore leave Plaintiff to its proofs.

19 3. Defendants admit the allegation of paragraph 3.

20 4. Defendants admit the allegation of paragraph 4.

21 5. Defendants admit the allegation of paragraph 5.

22 **JURISDICTION AND VENUE**

23 6. Defendants admit the allegation of paragraph 6.

24 7. Defendants admit or deny the allegation of paragraph 7

25 **GENERAL ALLEGATIONS**

26 .  
27 ANSWER - 1

1 8. Defendants are unable to admit or deny the allegations contained in paragraph 8 of the complaint and  
2 therefore leave Plaintiff to its proofs.

3 9. Defendants are unable to admit or deny the allegations contained in paragraph 9 of the complaint and  
4 therefore leave Plaintiff to its proofs.

5 10. Defendants are unable to admit or deny the allegations contained in paragraph 10 of the complaint and  
6 therefore leave Plaintiff to its proofs.

7 11. Defendants are unable to admit or deny the allegations contained in paragraph 11 of the complaint and  
8 therefore leave Plaintiff to its proofs.

9 12. Defendants are unable to admit or deny the allegations contained in paragraph 12 of the complaint and  
10 therefore leave Plaintiff to its proofs.

11 13. Defendants admit the allegations of paragraph 13 of the complaint.

12 14. Defendants are unable to admit or deny the allegations contained in paragraph 14 of the complaint and  
13 therefore leave Plaintiff to its proofs.

14 15. Defendants are unable to admit or deny the allegations contained in paragraph 15 of the complaint and  
15 therefore leave Plaintiff to its proofs.

16 16. Defendants are unable to admit or deny the allegations contained in paragraph 16 of the complaint and  
17 therefore leave Plaintiff to its proofs.

18 17. Defendants admit the allegation contained in paragraph 17 of the complaint.

19 18. Defendants admit the allegations contained in paragraph 18 of the complaint.

20 19. Defendants admit the allegations contained in paragraph 19 of the complaint.

21 20. Defendants admit the allegations contained in paragraph 20 of the complaint.

22 21. Defendants admit the allegations contained in paragraph 21 of the complaint.

23 22. Defendants are unable to admit or deny the allegations contained in paragraph 22 of the complaint and  
24 therefore leave Plaintiff to its proofs.

25 23. Defendants are unable to admit or deny the allegations contained in paragraph 23 of the complaint and  
26 therefore leave Plaintiff to its proofs.

27  
28 ANSWER - 2

## INTERPLEADER

24. Defendants are unable to admit or deny the allegations contained in paragraph 24 of the complaint and therefore leave Plaintiff to its proofs.
25. Defendants are unable to admit or deny the allegations contained in paragraph 25 of the complaint and therefore leave Plaintiff to its proofs.
26. Defendants admit the allegations contained in paragraph 26 of the complaint.
27. Defendants are unable to admit or deny the allegations contained in paragraph 27 of the complaint and therefore leave Plaintiff to its proofs.
28. Defendants are unable to admit or deny the allegations contained in paragraph 28 of the complaint and therefore leave Plaintiff to its proofs.
29. Defendants are unable to admit or deny the allegations contained in paragraph 29 of the complaint and therefore leave Plaintiff to its proofs.
30. Defendants are unable to admit or deny the allegations contained in paragraph 30 of the complaint and therefore leave Plaintiff to its proofs.

## **PRAAYER FOR RELIEF**

WHEREFORE, DEFENDANTS Brittany A. Retzlaff and Denise A. Hollas, being they only two persons ever named as beneficiaries who are not and have never been implicated in the death of the insured, Defendants request this court:

- a) release the previously designated percentage to each Defendant (45% to Brittany A. Retzlaff, and 10% to Denise A. Hollas), and hold the remaining 45% until such time as the Court can decide best how to distribute such.
- b) Limit the reward of costs, attorneys fees and other expenses claimed by Transamerica so as not to prejudice the innocent beneficiaries.

**WHEREFORE**, based upon the foregoing and upon all of the papers and proceedings had or to  
had herein, Defendants demand that judgment be entered in their favor, together with interests, costs  
and attorney's fees, and for such other and further relief as to the Court seems just and proper.

### ANSWER - 3

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4 Dated this 19<sup>th</sup> day of March, 2024.

5 /s/ Anthony R. Montoya  
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Anthony R. Montoya  
Arizona State Bar #22322  
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10 **ORIGINALFILED via mail and COPY**

11 of the foregoing served-

12 19<sup>th</sup> day of March 2024 to:

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ANSWER - 4